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ELEVENTH ANNUAL MEETING
OF THE
AMERICAN SOCIETY OF INTERNATIONAL LAW

NEW WILLARD HOTEL, WASHINGTON, D. C.

APRIL 26-28, 1917

FIRST SESSION

Thursday, April 26, 1917, 8 o'clock p.m.

THE PRESIDENT (the Honorable Elihu Root). The Society will come to order, something which appears to be much needed in the Society of Nations.

Before beginning the proceedings of the evening, the Secretary will read a telegram just received.

THE SECRETARY (Mr. James Brown Scott).

HABANA.

American Society of International Law,
New Willard Hotel, Washington.

Cuban Society sends its heartiest greetings and best wishes for eleventh meeting.

BUSTAMANTE,
President.

The PRESIDENT. It has been customary, in opening the annual meetings of the American Society of International Law, for the President to give a brief resumé of the principal events in the field of international law during the preceding year. Last year I felt constrained to omit that resumé, and this year I have nothing to call to the attention of the Society in the field of international law, except, so far as I can recall, that every rule which has been devised by the civilization of the century just passed for confining the operations of war within the limits of humanity, so far as that may be possible, and for distinguishing war between civilized nations

from the wars of the past between barbarians — every rule of that description has been systematically, flagrantly and outrageously violated during the past year by the Empire of Germany.

The subject upon which I will ask your attention for a few minutes in opening this session is

THE EFFECT OF DEMOCRACY ON INTERNATIONAL LAW

ADDRESS BY ELIHU ROOT

President of the Society

In trying to estimate the future possibilities of international law, and to form any useful opinion as to the methods by which the law can be made more binding upon international conduct, serious difficulties are presented in the unknown quantities introduced by the great war, which is steadily drawing into its circle the entire civilized world. Hitherto, we have been unable to form any real judgment as to which of the two warring groups of nations will succeed in the end. Our expectations and beliefs upon that question have been the products of our sympathies and our hopes and of an optimism for which it is now happily more easy to find just grounds than ever before. Nor have we been able to measure the effects of the war upon national character, and the probable results in national modes of thought and conduct.

A just estimate of such forces is not easy. The modern era of nationalities has been marked by three great convulsions which turned the minds of all civilized men towards peace, and led them to seek means to make peace secure.

The Thirty Years' War produced the Peace of Westphalia and the system of independent nationalities in Europe, and it produced Grotius and the science of international law; and practically every Power in Europe except the Ottoman was a party to the agreement to maintain the system thus established. Yet, the century which followed exhibited the most cynical and universal disregard for the law, and for the treaty, and for all treaties.

The Napoleonic Wars produced the Treaty of Vienna and the Holy Alliance. That sincere but misguided effort sought to fix the limits and regulate the conduct of the nations of Europe in accordance with the principles which the treaty-making Powers then believed to be in keeping with right and justice, and to be effective for the permanent peaceful organization of the community of nations, and it sought to maintain the *status quo* by the establishment of a League to Enforce Peace in accordance with